

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

DOUGLAS PEARSON,)	
)	
Plaintiff,)	
)	
v.)	No. 2:20-cv-00173-JPH-DLP
)	
DWENGER,)	
PRIMEAU,)	
SIMMS,)	
ALLEN,)	
)	
Defendants.)	

ORDER DISMISSING ACTION AS DUPLICATIVE

Douglas Pearson is a frequent litigator in Indiana federal courts. In just the past few months he has commenced multiple lawsuits in this district. Several of these lawsuits are duplicative of the claims raised in this case.

In this case, Mr. Pearson alleges that the defendants have been working against him to keep him in segregated lock down for three years. He states that he cannot work and that the disciplinary hearing board never restored his good credit time. He seeks money damages, a transfer out of Wabash Valley Correctional Facility, and a yellow Daytona Charger Hemi.

Mr. Pearson raises these same claims against the same defendants in 2:19-cv-583-JRS-DLP. The Seventh Circuit has described a district court's authority to dismiss such suits:

The district court has broad discretion to dismiss a complaint “for reasons of wise judicial administration . . . whenever it is duplicative of a parallel action already pending in another federal court.” *Serlin v. Arthur Andersen & Co.*, 3 F.3d 221, 223 (7th Cir. 1993) (quoting *Ridge Gold Standard Liquors, Inc. v. Joseph E. Seagram & Sons, Inc.*, 572 F. Supp. 1210, 1213 (N.D. Ill. 1983)). A suit is duplicative if the “claims, parties, and available relief do not significantly differ between the two actions.” *Ridge Gold*, 572 F. Supp. at 1213.

McReynolds v. Merrill Lynch & Co., 694 F.3d 873, 888–89 (7th Cir. 2012).

Mr. Douglas's amended complaint in 2:19-cv-583-JRS-DLP concern his mental health treatment and confinement to a special mental health unit at Wabash Valley Correctional Facility. Because these cases are duplicative, this action is **DISMISSED without prejudice** as duplicative.

Final Judgment consistent with this Order shall now issue.

SO ORDERED.

Date: 4/7/2020



James Patrick Hanlon
United States District Judge
Southern District of Indiana

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